

United States District Court

Northern District of New York

CIVIL JUDGMENT

ROBERT T. PROVOST, SR.

Plaintiff

VS.

6:06-CV-701 (NPM) (GJD)

**THE STATE OF NEW YORK; OFFICE OF THE NEW YORK STATE ATTORNEY GENERAL;
MARY B. KAVANEY, Assistant Attorney General of the State of New York; G. NICHOLAS
GARIN, Assistant Attorney General of the State of New York; JOHN PERONE, Temporary
Receiver; MANUFACTURERS AND TRADERS TRUST COMPANY; BERNARD J.
CASSERLY, Administrative Vice President, Manufacturers and Traders Trust Company;
VAN DEWATER & VAN DEWATER L.L.P., Attorneys; CYNTHIA S. ROSENWEIQ, ESQ.;
CHARLES H. HOWES., JR., Process Server; MICHAEL E. GRAFF, Referee; THE
STOCKADE GROUP, L.L.C.; JOHN and JANE DOE; and ELIOT SPITZER, Attorney General
of the State of New York**

Defendants'

[X] Decision by Court. This action came to hearing before the Court.
The issues have been heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

That upon review the Court finds that the plaintiff's complaint fails to state a claim upon which relief may be granted by this Court, therefore the action is dismissed.

All of the above pursuant to the Order of the Honorable Senior Judge Neal P. McCum, dated the 22nd day of November, 2006.

NOVEMBER 22, 2006

LAWRENCE K. BAERMAN

DATE

CLERK OF COURT

s/

**JOANNE BLESKOSKI
DEPUTY CLERK**